IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 2ND MARCH 2007 / 11TH PHALGUNA 1928

Bail Appl..No. 1276 of 2007()

CRIME NO.138/07 OF KASARGOD POLICE STATION

PETITIONERS/ACCUSED 2 & 3:

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1. THALAL ABDULLA C.A.,
   S/O.ABDULLA MOIDEEN SAHEB, MAHAMATH VILLA,
   POST R.D. NAGAR, KASARGOD.

2. MOHAMMED YUNUS, S/O.MOHAMMED YUSUF,
   MEEPUYURI, POST R.D. NAGAR, KASARGOD.

BY ADV. SRI.K.K.MOHAMED RAVUF

RESPONDENT:

THE STATE OF KERALA, REPRESENTED BY
THE STATION HOUSE OFFICER, KASARGOD,
THROUGH PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO.1276 OF 2007

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DATED THIS THE 2nd DAY OF MARCH, 2007

O R D E R

Petitioners who are accused Nos.2 and 3 in Crime No.138/07 of Kasargod Police Station for offences punishable under sections 143, 147, 148, 341, 323, 324 and 153A read with section 149 IPC, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. The occurrence took place at 9.30 AM on 12.2.2007 when the petitioners are alleged to have assaulted the de facto complainant with a wicket.

3. Anticipatory bail cannot be granted in a case of this nature. But, at the same time, petitioners being students, I am inclined to permit the petitioners to surrender before the Investigating Officer for interrogation and then to have their application for regular bail ordered by the Magistrate. Accordingly, the petitioners are directed to surrender before the Investigating Officer on any day between 07.03.2007 and 09.03.2007 for the purpose of interrogation and recovery of

incriminating materials, if any. The petitioners shall thereafter be produced on the same day before the Magistrate having jurisdiction who shall release the petitioners on bail on appropriate conditions.

This application is disposed of as above.

V.RAMKUMAR, JUDGE

dsn